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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 TAMARA SAMANTHA TRYON,

10 Petitioner,

11 v.

12 STATE OF WASHINGTON DOC,

13 Respondent.

Case No. C17-589-RSL-JPD

REPORT AND RECOMMENDATION

14 Petitioner Tamara Tryon is currently in the custody of the Washington Department of  
15 Corrections. On April 14, 2017, petitioner submitted to the Court for filing a petition for writ of  
16 habeas corpus under 28 U.S.C. § 2254. (*See* Dkt. 1.) However, petitioner failed to submit with  
17 her petition either the requisite filing fee or an application to proceed with this action *in forma*  
18 *pauperis*. Thus, the Clerk sent petitioner a letter advising her that her submission was deficient  
19 and that she would have to submit either the \$5 filing fee or a completed application for *in forma*  
20 *pauperis* status on or before May 17, 2017, or risk dismissal of this action. (Dkt. 2.) The Clerk  
21 also sent petitioner the appropriate *in forma pauperis* application form to complete. (*See id.*) To  
22 date petitioner has submitted neither the filing fee nor a completed application to proceed *in*  
23 *forma pauperis*.


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1 As petitioner has had ample time to submit either the filing fee or an application for *in*  
2 *forma pauperis* status, but has failed to do so, this Court recommends that the instant action be  
3 dismissed for failure of petitioner to comply with the filing fee requirements of 28 U.S.C.  
4 §§ 1914 and 1915. A proposed order accompanies this Report and Recommendation.

5 Objections to this Report and Recommendation, if any, should be filed with the Clerk and  
6 served upon all parties to this suit by no later than **July 5, 2017**. Failure to file objections within  
7 the specified time may affect your right to appeal. Objections should be noted for consideration  
8 on the District Judge's motion calendar for the third Friday after they are filed. Responses to  
9 objections may be filed within **fourteen (14)** days after service of objections. If no timely  
10 objections are filed, the matter will be ready for consideration by the District Judge on **July 7,**  
11 **2017.**

12 This Report and Recommendation is not an appealable order. Thus, a notice of appeal  
13 seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the  
14 assigned District Judge acts on this Report and Recommendation.

15 DATED this 13th day of June, 2017.

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17 JAMES P. DONOHUE  
18 Chief United States Magistrate Judge  
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